



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-101**

September 7, 2006

Roderick & Jennifer Ballou
269 NH Rt 10
Croydon, NH 03773

RE: DES Wetlands File #2005-02897 Route 10, Croydon

Dear Mr. and Ms. Ballou:

On January 31, 2006 and August 30, 2006, personnel from the Department of Environmental Services ("DES") conducted inspections of the above referenced property, more specifically referenced on Town of Croydon Tax Map 15 as Lot 180 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env-Wt 100-800.

During the inspection the following deficiencies were documented:

1. An intermittent stream channel had been intercepted and water diverted down a road ditchline during road building activities; and
2. No erosion controls were observed on the Property.

In response, you are requested to take the following actions:

1. By September 22, 2006, stabilize the road and ditchlines in accordance with "Best Management Practices for Routine Roadway and Maintenance Activities in New Hampshire" (enclosed);
2. By September 29, 2006, submit photo documentation to DES that the above-referenced work has been completed; and
3. By October 16, 2006, submit a Standard Dredge and Fill application (enclosed) to DES to install a culvert, with appropriate headwalls and outfall protection, in the location where the road intersects with the stream channel.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A

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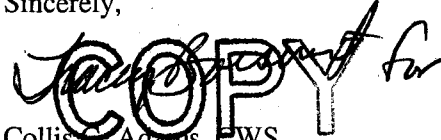
will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for the imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Collis G. Adams", is written over a large, bold, outlined word "COPY".

Collis G. Adams, EWS
Administrator
Wetlands Bureau

CERTIFIED MAIL: 7005 1820 0005 8303 0330

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Croydon Conservation Commission
Croydon Board of Selectmen
USACOE